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In re Application of :  
INGMAN, Dov, et al. :  
Application No.: 10/559,850 : DECISION  
PCT No.: PCT/US03/18688 :  
Int. Filing Date: 13 June 2003 : ON REQUEST UNDER  
Priority Date: None :  
Attorney's Docket No.: 2387.0020000 : 37 CFR 1.497(d)  
For: MOISTURE-RESISTANT NANO- :  
PARTICLE MATERIAL AND ITS :  
APPLICATIONS :  
:

This decision is in response to "Request to Add Inventors in a Nonprovisional Patent Application," filed on 25 May 2006. It has been treated as a request under 37 CFR 1.497(d).

### **BACKGROUND**

On 13 June 2003, applicant filed international application PCT/US03/18688. The deadline for entry into the national stage in the United States was midnight on 13 December 2005.

On 07 December 2005, applicant filed a submission for entry into the national stage in the United States, accompanied by, *inter alia*, the U.S. Basic National Fee and a declaration of the inventors.

On 28 March 2006, the Office mailed Notification of Missing Requirements, indicating that the declaration listed an inventor not listed on the international application and requiring an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of the search fee, examination fee or the oath or declaration.

On 25 May 2006, applicant filed the instant request.

### **DISCUSSION**

Applicants file this request to add Andrew Glista as an inventor.

A request under 37 CFR 1.497(d) requires: (1) a statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part; (2) the

processing fee set forth in §1.17(i); and (3) the written consent of the assignee, if an original named inventor has executed an assignment.

Items (1), (2) and (3) have been satisfied. Applicants provided a statement by Glista, the processing fee and the consent of the assignee.

The declaration filed on 07 December 2005 in combination with this request satisfy 37 CFR 1.497(a)-(b). The declaration filed on 25 May 2006 would not have as it appears it was pieced together from two separately executed declarations to form a single composite declaration. While it is acceptable for inventors to execute separate copies of the oath or declaration, the complete copy as executed by the inventors must be submitted. The surcharge for late filing of the search fee, examination fee or oath or declaration will be refunded.

### CONCLUSION

For the above reasons, applicant's request under 37 CFR 1.497(d) is **GRANTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application, including accordation of a 35 U.S.C. §371(c)(1), (c)(2) and (c)(4) date of **07 December 2005**.

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